

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

ALTANA PHARMA AG and WYETH, )  
Plaintiffs, )  
v. )  
TEVA PHARMACEUTICALS USA, INC. )  
and TEVA PHARMACEUTICALS )  
INDUSTRIES, LTD., )  
and )  
SUN PHARMACEUTICAL INDUSTRIES, )  
LTD. and SUN PHARMACEUTICAL )  
ADVANCED RESEARCH CENTRE, LTD., )  
Defendants.

**ORDER ON ORAL MOTION**

CONSOLIDATED  
CIVIL ACTION NOS.  
04-2355 (JLL) (CCC)  
05-1966 (JLL) (CCC), &  
05-3920 (JLL) (CCC)

ALTANA PHARMA AG and WYETH, )  
Plaintiffs, )  
v. )  
KUDCO IRELAND, LTD., KREMERS )  
URBAN DEVELOPMENT CO., SCHWARZ )  
PHARMA, INC., SCHWARZ PHARMA USA )  
HOLDINGS, INC., and SCHWARZ )  
PHARMA AG )  
Defendants.

**SCHEDULING ORDER**

THIS MATTER having come before the Court for a status conference on October 26, 2006; and counsel for the parties having conferred and agreed to this form of Order and good cause appearing;

IT IS on this 15<sup>th</sup> day of November, 2006;

ORDERED that fact discovery shall end on January 15, 2007;

**ORDERED** that the parties shall serve expert reports on which the party bears the burden of proof on **February 6, 2007**;

**ORDERED** that the parties shall serve responsive expert reports on **March 9, 2007**;

**ORDERED** that the parties shall serve reply expert reports on **March 30, 2007**;

**ORDERED** that expert depositions shall begin on **May 1, 2007**;

**ORDERED** that expert depositions shall end on **June 15, 2007**;

**ORDERED** that Plaintiffs shall produce for deposition for a second time any and all witnesses should such a second day of deposition appear reasonably necessary to the Court in view of the resolution by the Court of any motions or discovery disputes, or in view of the inability by the defendants to reasonably complete their examination of the witnesses in a single deposition day session;

**ORDERED** that one deposition of either Drs. Kohl, Senn-Bilfinger or Sturm shall proceed during the month of November 2006, and that, if possible, another of the depositions shall take place during the first full week in December;

**ORDERED** that on or before November 9, 2006, Plaintiffs shall either provide documentation from a health care provider establishing that Dr. Kromer's health condition prevents him from flying at this time, or shall advise the Court that more time is needed to produce such information;

**ORDERED** that Plaintiffs shall reserve **December 13, 14 and 15, 2006** for fact depositions of Profs. Heintze, Figala and Kromer in Germany;

**ORDERED** that Plaintiffs shall file and serve their opposition to defendant Sun's letter motion to vitiate attorney-client privilege on **November 9, 2006**;

**ORDERED** that defendant Sun shall file and serve their reply in support of its letter motion to vitiate attorney-client privilege on November 16, 2006;

**ORDERED** that a status teleconference shall be conducted before the undersigned at 4:00 p.m. on Friday, November 3, 2006.

*s/Claire C. Cecchi*

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Honorable Claire C. Cecchi, U.S.M.J

Doc. No. 222331